IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2088 OF 2006
IN
APPEAL (L) NO.505 OF 2006
IN
NOTICE OF MOTION NO.3691 OF 2003
IN
SUIT NO.611 OF 1979

Chandrakant Narsi Mistry .. Appellant
V/s
Dhirajlal Narsi Mistry & Ors. .. Respondents

Ms.Preeti Gada i/by M/s.Sudhir Shah & Associates for the Appellant.

Mr.V.R.Walavalkar i/by M/s.Gordhandas Fozdar & Co.for Respondent No.1.

Mr.N.V.Vimadalal for Respondent Nos.2 and 3.

CORAM: DR.S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.

DATE : 28TH JULY, 2006.

P.C.:

1. Heard the learned Counsel for the parties. Perused the affidavit in support fo the Notice of Motion. For the reasons stated therein sufficient cause is made out for condoning the delay caused in filing the Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the Appeal on board for admission on 18.08.2006. Ad-interim stay to continue till then.

(DR.S.RADHAKRISHNAN, J.)

(S.J.VAZIFDAR,J.)